

Notice of Allowability

Application No.

10/533,228

Examiner

MARK O. AFOLABI

Applicant(s)

HUNDSCHIEDT ET AL.

Art Unit

2454

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/10/2010.
2. ☒ The allowed claim(s) is/are 1-12 and 14-23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 01/14/2010.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/MARK O. AFOLABI/
Examiner, Art Unit 2454

/NATHAN FLYNN/
Supervisory Patent Examiner, Art Unit 2454

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview (972-583-8656) with Sidney Weatherford on January 14, 2010.

Claims 1-12 and 14-23 are allowed.

Claim 13 is hereby cancelled.

IN THE CLAIMS:

2. Claims 1, 9 and 20 are amended as follows:

Claim 1, a method b adapting multi-user multimedia data in a communication network, with a server providing the multi-user multimedia data to a group of clients, comprising the steps of:

- providing information on distribution characteristics to an Intermediate network part between the server and the group of clients, wherein the intermediate network part is a functionality implemented in one or more nodes ;

- sending a data stream, via the intermediate network part containing the multi-user multimedia data from the server to the group of clients;

- determining real time distribution characteristics, regarding the data stream, associated with the group of clients;

- generating a feedback report on the group of clients' reception conditions of the data stream, considering the distribution characteristics, said feedback report comprising a client

Art Unit: 2454

group structure and an aggregation of the real time distribution characteristics of all clients in the group including Information about aggregation technique and manner of adaptation;

Suppressing a portion of the feedback report in the network terminals;

sending the feedback report to the server; and

adapting transmission of the data stream from the server to the group of clients according to the feedback report.

Claim 9, the method according to claim 1 wherein the suppressed portion of the feedback report comprises RTCP feedback, [[the feedback reports from the group of clients are suppressed in the network terminals]],

Claim 20, an intermediate network part for adapting a multi-user data stream in a communication network with a server providing the multi-user data stream to a group of clients, the intermediate network part being Implemented in one or more nodes and arranged to provide information on distribution characteristics between the server and the group of clients and wherein said intermediate network part comprises:

means for forwarding the data stream from the server to the group of clients;

means for determining of the distribution characteristics associated with the group of clients;

means for generating a feedback report on the group of clients' reception conditions of the data stream considering the distribution characteristics, said feedback report including a client group structure and an aggregation of the real time distribution characteristics of all clients in the group including information about aggregation technique, and manner pf adaptation;

means for suppressing a portion, comprising RTCP feedback, of the feedback report in the network terminals; and

means for sending the aggregated feedback report to the server.

3. When taken in context the claim(s) as a whole was/were not disclosed in any prior art i.e., the dependent claims are allowed as they depend upon an allowable independent claim.
4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments regarding Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK O. AFOLABI whose telephone number is (571) 270-5627. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NATHAN FLYNN can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/533,228

Page 5

Art Unit: 2454

MARK O. AFOLABI

Examiner GAU 2454

/NATHAN FLYNN/

Supervisory Patent Examiner, Art Unit 2454